

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-29 are pending in the present application. Claims 1 and 12 are the independent claims.

Claims 1, 8, 12, 13, and 17 have been amended. No new matter is believed to have been added.

Initially, Applicant acknowledges with appreciation the indication that claims 3-6, 8-10, 20-24, 27, and 28 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of their respective base claims and any intervening claims. By the present Amendment, Applicant has respectfully maintained these claims in dependent form because it is believed that their respective base claims, as amended, patentably define over the citations of record at least for the reasons set forth herein.

The Office Action objected to the Specification on formal grounds. In response, Applicant has amended the Specification in view of the Examiner's comments, save item (d) specified in the Office Action. Regarding item (d), Applicant respectfully submits that the "sliding holder" is the name of an expressly recited element and "slidingly" refers to how the sliding holder is installed on the tray, and thus, the phrase is not redundant.

Favorable consideration is respectfully requested.

Claims 1-29 stand rejected under the second paragraph of 35 U.S.C. §112, as indefinite. Each specified ground for this rejection is addressed in turn. Regarding claim 1, Applicant has amended this claim to recite "...a sliding holder installed on the tray to prevent the disc cartridge from moving by pressing the disc cartridge, restricted by the locking lever, in one direction." Regarding claim 12, Applicant has amended this claim to recite "...relative to the tray when the disc cartridge is accommodated on the tray." Regarding claim 13, Applicant has amended this claim to recite "...wherein the locking element engages with the receiving element..." Regarding claim 19, attention is respectfully directed to the lineage of this claim, which depends from claim 18, which depends from independent claim 12, which recites "a holder" in line 7.

Accordingly, favorable reconsideration and withdrawal of the rejection under 35 U.S.C. § 112 are respectfully requested.

Claims 1-2, 7, 12, 18, 25-26, 29 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,465,246 (Choi). All rejections are respectfully traversed.

Independent claim 1 recites features of an apparatus to accommodate and load a disc cartridge housing ... which is loaded in a drive in a first direction. Independent claim 1 recites a feature of a sliding holder installed on a tray to prevent the disc cartridge from moving by pressing the disc cartridge, restricted by a locking lever, in a direction opposite the first direction.

Independent claim 12 recites features of a housing to accommodate and load a disc cartridge which holds an optical disc. Independent claim 12 recites a tray on which the disc cartridge is accommodated and which is received in a case in a first direction and a holder slidably installed on the tray and which biases the disc cartridge against a locking element in a direction opposite the first direction so as to prevent movement of the disc cartridge relative to the tray when the disc cartridge is accommodated on the tray.

Applicant respectfully submits that Choi does not teach at least the aforementioned features of independent claims 1 and 12.

Choi discloses a disc-cartridge loading apparatus for a mini-disc player. The apparatus includes a disc-cartridge tray 50, a disc cartridge pushing plate 40, and a disc-cartridge guide plate 30. Engaging piece 36 is connected to disc-cartridge guide plate 30 at a first end thereof, and has a protruded engaging member 38 disposed at an opposite thereof. When disc-cartridge 80 is inserted into tray 50, engaging piece 38 engages engaging hole 70 of disc-cartridge 80, and rides in guide hole 58 of tray 50 as driving means 20 moves guide plate 30 in the same direction disc-cartridge 80 is inserted, to move disc-cartridge 80 into housing 10. (See Choi, e.g., at FIGS. 1-3B, and col. 2, line 34 to col. 3, line 58).

Regarding the rejection of independent claim 1, when disc-cartridge 80 is completely inserted, driving means 20 rotates first gear 28 such that protruded portion 38 bears on pushing plate 40, which bears on disc-cartridge 80 and tray 50 and moves them downward with respect to FIGS. 1 and 2 (tray 50 moves along guide rod 60) so that disc-cartridge 80 is stably fixed on turntable 90. (See Choi, e.g., at FIGS. 1-3B, and col. 2, line 34 to col. 3, line 58). Thus, Choi does not teach the aforementioned feature of independent claim 1.

Regarding the rejection of claim 12, Choi teaches that when pushing plate 40 pushes down on disc-cartridge 80, engaging hole 70 is pressed against (and is thus biased against) protruded engaging member 38. Thus, Choi does not teach the aforementioned feature of independent claim 12.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1 and 12 are respectfully requested.

Regarding dependent claim 26, Choi teaches that that engaging piece 36 does not comprise shutter locker 82. For this reason alone, Choi cannot meet all of the features of claim

26. Further, Choi teaches that when disc-cartridge 80 is accommodated in tray 50, shutter locker 82 does not prevent tray 50 from sliding into housing 10, since tray 50 is already inherently contained within housing 10, and further, shutter locker 82 does not prevent tray 50 from moving along guide rod 60, regardless of the position of engaging piece 36. For this additional reason, Choi cannot meet all of the features of claim 26.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10-26-06

By: 
Michael E. Kondoudis
Registration No. 42,758

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501